

AMENDED IN SENATE AUGUST 27, 2003

AMENDED IN SENATE AUGUST 18, 2003

AMENDED IN SENATE JUNE 26, 2003

AMENDED IN ASSEMBLY JUNE 3, 2003

AMENDED IN ASSEMBLY APRIL 29, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 369

Introduced by Assembly Member Bermudez

February 14, 2003

An act to add Section 21230 to the Government Code, relating to public employees' retirement.

LEGISLATIVE COUNSEL'S DIGEST

AB 369, as amended, Bermudez. Public employees' retirement: employment after retirement.

Existing law generally requires a person who has retired under the Public Employees' Retirement System to reinstate from retirement if he or she is subsequently employed by an employer under the system. However, existing law also exempts certain types of employment from that requirement.

This bill would authorize a *safety* member who is retired for service, *with at least 20 years of specified service*, to serve, without reinstatement from service retirement, as the superintendent, deputy superintendent, or captain of a jail or other local correctional facility that houses state inmates pursuant to a long-term agreement, as

specified, in a city that does not maintain a municipal police department.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 21230 is added to the Government
2 Code, to read:
3 21230. (a) A *safety* member who is retired for service, *with*
4 *at least 20 years of service in corrections or at a jail*, may serve
5 without reinstatement from service retirement or loss or
6 interruption of benefits provided by this system upon appointment
7 by a contracting agency described in subdivision (b) to the position
8 of superintendent, deputy superintendent, or captain of a jail or
9 other adult correctional facility of the contracting agency to which
10 state inmates have been transferred pursuant to an agreement,
11 having a term of 20 years, described in Section 2910 or 2910.5 of
12 the Penal Code. Appointments under this section shall be reported
13 to the board and shall be accompanied by the resolution adopted
14 by the governing body of the contracting agency.
15 (b) This section applies only if the appointing contracting
16 agency is a city that does not maintain a municipal police
17 department.

